

PROB 12B
(6/21)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Individual Under Supervision
(Probation Form 49, Waiver of Hearing is Attached)

Name of Individual Under Supervision: William Green

Cr.: 19-00525-001
PACTS #: 6016473

Name of Sentencing Judicial Officer: THE HONORABLE KEVIN MCNULTY
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 12/08/2021

Original Offense: Count One: Operating an Unlicensed Money Transmitting Business, 18 U.S.C. § 1960

Original Sentence: 36 months' probation

Special Conditions: Computer Monitoring Software, Search/Seizure, Financial Disclosure, No New Debt/Credit, Employment Requirements/Restrictions, Fine, Special Assessment, Computer Search, Computer Search for Monitoring Software

Type of Supervision: Probation

Date Supervision Commenced: 12/08/2021

PETITIONING THE COURT

☐ To extend the term of supervision for _____ years, for a total term of _____ years.

☒ To remove the below noted condition of supervision:

“You must submit to an initial inspection by the U.S. Probation Office, and to any unannounced examinations during supervision, of your computer equipment. This includes, but is not limited to, personal computers, personal digital assistants, entertainment consoles, cellular telephones, and/or any electric media device which is owned or accessed by you. You must allow manual searches of these devices and the installation on your computer of any hardware or software systems which monitor computer use. You must pay the cost of the computer monitoring program. You may use a computer in connection with employment if approved by the U.S. Probation Office, provided you notify your employer of the nature of your conviction and any computer related restrictions that are imposed on you. The U.S. Probation Office will confirm your compliance with this notification requirement.”

CAUSE

Mr. Green was convicted of operating an unlicensed money transmitting business and has no criminal history to note. Mr. Green committed a fraud scheme involving Bitcoin/virtual currency through his business, "Destination Bitcoin," and he was not licensed or registered to operate as a money transmitter. Mr. Green used a computer to facilitate the offense and was therefore ordered to have his devices monitored. Mr. Green was enrolled in the District of New Jersey's Internet and Device Monitoring Program (IDMP), due to his history of selling computer hardware and his current work in that capacity. Per the judgment, Mr. Green cannot operate a money transmitter/wire transfer business without permit or authorization from the appropriate authorities and IDMP was used to assist in enforcing this condition.

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William Green

Recently, Mr. Green has expressed the desire to relocate to the District of South Carolina. The undersigned officer has allowed Mr. Green to visit the city in which he requested to move, and the U.S. Probation Office there is aware of his presence in their district. The District of South Carolina is willing to accept Mr. Green as a transfer case, but do not have the ability to monitor Mr. Green's devices in the same way the District of New Jersey has, as they do not have an IDMP program. They have advised that their computer monitoring system is largely only for the monitoring of persons convicted of sex offenses.

Therefore, we are respectfully requesting that the above noted condition is removed from Mr. Green's conditions of supervision, so that the District of South Carolina can supervise Mr. Green as they are able. All other conditions would remain in place, especially the search condition ordered by Your Honor, so that if there are any concerns by the supervising district, they can search his home, vehicles, and/or any other devices as needed. We have attached the Probation Form 49 for Your Honor's review.

Respectfully submitted,

SUSAN M. SMALLEY, Chief
U.S. Probation Officer

Tiffany A. Francis

By: TIFFANY A. FRANCIS
U.S. Probation Officer

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APPROVED:

Sharon A. O'Brien December 27, 2022

SHARON A. O'BRIEN
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☐ The Extension of Supervision as Noted Above
- ☒ The Court modifies the Conditions of Supervision to remove the computer monitoring condition (as recommended by the Probation Office)
- ☐ No Action
- ☐ Other

/s/ Kevin McNulty
Signature of Judicial Officer

1/6/2023

Date

PROB 49
(4/19)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

- ☐ To extend the term of supervision for _____ years, for a total term of _____ years.
- ☒ To remove the noted condition of supervision as noted below:

"You must submit to an initial inspection by the U.S. Probation Office, and to any unannounced examinations during supervision, of your computer equipment. This includes, but is not limited to, personal computers, personal digital assistants, entertainment consoles, cellular telephones, and/or any electric media device which is owned or accessed by you. You must allow manual searches of these devices and the installation on your computer of any hardware or software systems which monitor computer use. You must pay the cost of the computer monitoring program. You may use a computer in connection with employment if approved by the U.S. Probation Office, provided you notify your employer of the nature of your conviction and any computer related restrictions that are imposed on you. The U.S. Probation Office will confirm your compliance with this notification requirement."

Witness: _____
U.S. Probation Officer
Tiffany A. Francis

Signed:  _____
Probationer or Supervised Releasee
William Green

12-29-22

Date